

REMARKS

Claims 1-7 and 9-17 are pending after entry of this paper. Claims 1-7, 14, 15, and 17-19 have been rejected. Claims 8-13 and 16 have been objected to.

Claim 8 has been cancelled, and the subject matter of claim 8 has been incorporated into claim 1.

Claims 1-4, 6, 9-14, and 17 have been amended. Support for the amendments may be found throughout the instant specification and the claims as originally filed. No new matter has been added by these amendments.

Reconsideration and withdrawal of the pending rejections are respectfully requested.

Allowable Subject Matter

The Examiner has indicated that claims 8-13 and 16 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants have amended independent claim 1 to incorporate the allowable subject matter of claim 8, now cancelled. Applicants therefore believe claim 1 to be in condition for allowance. Applicants have also amended each of the claims which depended directly from claim 8 to now depend directly from claim 1.

Response to Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 2-4, 6, 7, 14, and 17 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite.

Regarding claims 2-4, the Examiner contends that the terms “first” and “second” lack proper antecedent basis. Applicants have amended claims 2-4 to recite “first silver removal stage” or “second silver removal stage,” which applicants believe have proper antecedent basis in claim 1. Specifically, claim 1 recites “removing, in at least two stages, silver from the copper chloride solution.” Thus, there are implicitly at least two silver removal stages recited in claim 1. Accordingly, claim 1 recites provides proper antecedent basis for “first silver removal stage” and “second silver removal stage” as recited in claims 2-4.

Regarding claim 17, applicants have similarly amended claim 17 to recite “the at least two silver removal stages,” which applicants believe has proper antecedent basis in claim 1 for the reasons set forth regarding claims 2-4.

Regarding claim 6, the Examiner contends that the claim “reads on adding a solid powder, but there is no teaching of any solution or solvent in Claim 1.” Applicants respectfully disagree. Claim 1 recites, in relevant part, “A method for the removal of silver from a cuprous chloride solution . . . comprising removing . . . silver from the cuprous chloride solution . . . wherein fine-grained copper powder is fed countercurrently to the cuprous chloride solution . . .” Applicants respectfully submit that claim 1 clearly recites a cuprous chloride solution, to which fine-grained copper is added.

Also regarding claim 6, the Examiner notes the term “range” but the recitation of only a single value. Applicants have amended claim 6 to recite, “about 100 g/L based on the cuprous solution” instead of “in the range of 100 g/L.” Applicants respectfully submit that this

language captures the intended meaning of the previously pending claim without using the term “range.”

Regarding claim 7, the Examiner contends that the term “the at least two silver removal stages” lacks antecedent basis. Applicants respectfully disagree, for the reasons set forth above regarding claims 2-4.

Regarding claim 7, the Examiner further contends that the claim is missing an essential step, citing MPEP § 2172.01. Specifically, the Examiner contends that the “omitted steps include from what is the mercury removed,” and further that “it is not clear if the fine-grained copper in this step is the treated copper with the silver amalgam or is this is another source of fine-grained copper.” First, applicants respectfully submit that the “mercury removal stage” recited in claim 7 does not amount to an omitted step, because this recitation merely relates to a separate stage in the process into which the fine-grained copper is fed. The mercury removal process itself is not claimed in claim 7. Second, because the claim recites the term “countercurrently,” applicants respectfully submit that it is clear to what the term “the fine-grained copper powder” refers. Specifically, it is clear that this later stage in the process (“mercury removal stage after the at least two silver removal stages”) first receives the feed of fine-grained copper, and from there this fine-grained copper is then fed, countercurrently, to the latter of the silver removal stages.

Regarding claim 14, the Examiner contends that there is insufficient antecedent basis for the term “the alkali chloride content.” Applicants have amended claim 14 to instead recite “the chloride content” which has implicit antecedent basis in the term “dilute chloride solution” as recited in claim 1.

In view of the above amendments and remarks, applicants believe claims 2-4, 6, 7, 14, and 17 to be in full compliance with the requirements of 35 U.S.C. § 112. Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of claims 2-4, 6, 7, 14, and 17 under 35 U.S.C. § 112, second paragraph.

Response to Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1, 5, 7, 17, and 18 under 35 U.S.C. § 102(b) for allegedly being anticipated by U.S. Patent No. 4,124,379 (“Peters et al.”). In view of the amendment to claim 1 to incorporate the allowable subject matter of claim 8 (discussed above), applicants believe this rejection to be moot. Accordingly, applicants respectfully request withdrawal of the rejection of claims 1, 5, 7, 17, and 18 under 35 U.S.C. § 102(b).

Response to Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 2-4, 15, and 19 under 35 U.S.C. § 103(a) for allegedly being obvious Peters et al. alone. In view of the amendment to claim 1 to incorporate the allowable subject matter of claim 8, applicants believe the rejections to claims 2-4, 15, and 19, which each depend directly or indirectly from claim 1, to be moot. Accordingly, applicants respectfully request withdrawal of the rejection of claims 2-4, 15, and 19 under 35 U.S.C. § 103(a).

Dependent Claims

Applicants have not independently addressed all of the rejections of the dependent claims. Applicants submit that for at least similar reasons as to why independent claim 1 from which all of the dependent claims 2-7 and 9-19 depend are believed allowable as discussed *supra*, the dependent claims are also allowable. Applicants however, reserve the right to address any individual rejections of the dependent claims and present independent bases for allowance for the dependent claims should such be necessary or appropriate.

Thus, applicants respectfully submit that the invention as recited in the claims as presented herein is allowable over the art of record, and respectfully request that the respective rejections be withdrawn.

CONCLUSION

Based on the foregoing amendments and remarks, applicants respectfully request reconsideration and withdrawal of the rejections of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 4819-4740.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 4819-4740.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By: /Andrew D. Cohen/
Andrew D. Cohen
Registration No. 61,508

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile